

FILED

NOV 22 2013

BUREAU OF REAL ESTATE
By Norma Jimenez

1 JAMES DEMUS, Counsel (SBN 225005)
2 Bureau of Real Estate
3 320 West 4th Street, Suite 350
4 Los Angeles, California 90013-1105
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27

Telephone: (213) 576-6982
(Direct) (213) 576-6910

BEFORE THE BUREAU OF REAL ESTATE

STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of)
HELP ME RENT, INC. and DARYL)
SCOTT BEANS, individually, and as)
designated officer of Help Me Rent)
Inc.,)
Respondents.)

No. H- 39166 LA
A C C U S A T I O N

The Complainant, Robin Trujillo, a Deputy Real Estate
Commissioner of the State of California, for cause of Accusation
against HELP ME RENT, INC. and DARYL SCOTT BEANS, individually,
and as designated officer of Help Me Rent, Inc., alleges as
follows:

1.

The Complainant, Robin Trujillo, acting in her official
capacity as a Deputy Real Estate Commissioner of the State of
California, makes this Accusation against HELP ME RENT, INC. and
DARYL SCOTT BEANS.

///

1 2.

2 All references to the "Code" are to the California
3 Business and Professions Code and all references to "Regulations"
4 are to Title 10, Chapter 6, California Code of Regulations.

5 LICENSE HISTORY

6 3.

7 A. At all times mentioned, HELP ME RENT, INC. ("HMRI")
8 was licensed and/or had license rights issued by the Bureau of
9 Real Estate ("Bureau") as a corporate real estate broker. HMRI
10 was originally licensed as a corporate real estate broker on
11 November 18, 2011.

12 B.1 At all times mentioned, DARYL SCOTT BEANS
13 ("BEANS") was licensed and/or had license rights issued by the
14 Bureau as a real estate broker. BEANS was originally licensed as
15 a real estate broker on May 9, 1995.

16 B.2 On January 2, 2008 in Case No. H-34132 LA, BEANS'
17 broker license was disciplined by a suspension stayed by a
18 monetary penalty. BEANS stipulated that the basis for the
19 suspension were violations of Code Sections 10145 and 10159.2 and
20 Regulations 2831.1, 2834, 2950(d) and 2950(h), which provided
21 grounds for suspension pursuant to Code Sections 10177(d) and
22 10177(h).

23 B.3 On September 2, 2011 in Case No. H-36792 LA,
24 BEANS' broker license was disciplined by a suspension stayed by a
25 monetary penalty. BEANS stipulated that the basis for the
26 suspension were violations of Code Sections 10145 and 10159.2 and
27 Regulations 2731, 2831, 2831.1, 2831.1, 2832(a), 2832.1, 2834,

1 2950(d), (g) and (h) and 2951, which provided grounds for
2 suspension pursuant to Code Sections 10177(d), 10177(g) and
3 10177(h).

4 C. From November 18, 2011, through the present, HMRI
5 has been licensed by the Bureau as a corporate real estate broker
6 by and through BEANS, as the designated officer and broker
7 responsible, pursuant to Code Section 10159.2 for supervising the
8 activities requiring a real estate license conducted on behalf of
9 HMRI, or by HMRI's officers, agents and employees.

10 BROKERAGE

11 HELP ME RENT, INC.

12 4.

13 At all times mentioned, in the City of Pomona, County
14 of Los Angeles, HMRI and BEANS acted as real estate brokers,
15 conducting licensed activities within the meaning of Code Section
16 10131(b): leasing or renting real property for others.

17 AUDIT

18 HELP ME RENT, INC.

19 5.

20 On December 18, 2012, the Bureau (then the "Department
21 of Real Estate") completed an audit examination of the books and
22 records of HMRI pertaining to the activities described in
23 Paragraph 4 which require a real estate license. The audit
24 examination covered a period of time from November 18, 2011 to
25 October 31, 2012. The audit examinations revealed violations of
26 the Code and the Regulations as set forth in the following
27 paragraphs, and as more fully discussed in Audit Report LA120122

1 and the exhibits and workpapers attached to said audit report.

2 VIOLATIONS OF THE REAL ESTATE LAW

3 6.

4 In the course of activities described in Paragraph 4
5 above and during the examination periods described in Paragraph
6 5, Respondents HMRI and BEANS acted in violation of the Code and
7 the Regulations in that:

8 (a) The bank account HMRI used to hold trust funds was
9 not designated as a trust account, in the name of HMRI as a
10 trustee, in violation of Code Section 10145 and Regulation 2832.

11 (b) A Salesperson who was not licensed under the
12 employ of HMRI was authorized to sign for withdrawals of trust
13 funds, in violation of Code Section 10145 and Regulation 2834.

14 (c) HMRI performed property management services
15 requiring a real estate license before it was licensed by the
16 Department of Real Estate on November 18, 2011, in violation of
17 Code Section 10130.

18 (d) HMRI used the unlicensed fictitious business names
19 "HELPMERENTAL.COM", "HELP ME RENT" and "FIRST WORLD REALTY"
20 during the audit period, in violation of Code Section 10159.5 and
21 Regulation 2731.

22 7.

23 The conduct of Respondents HMRI and BEANS, described in
24 Paragraph 6, above, violated the Code and the Regulations as set
25 forth below:

26 ///

27 ///

1	<u>PARAGRAPH</u>	<u>PROVISIONS VIOLATED</u>
2	6 (a)	Code Section 10145 and Regulation
3		2832
4	6 (b)	Code Section 10145 and Regulation
5		2834
6	6 (c)	Code Section 10130
7	6 (d)	Code Section 10159.5 and Regulation
8		2731

9 The foregoing violations constitute cause for the
10 suspension or revocation of the real estate license and license
11 rights of HMRI and BEANS, under the provisions of Code Sections
12 10177(d) and/or 10177(g).

13 SUPERVISION AND COMPLIANCE

14 8.

15 The overall conduct of Respondent BEANS constituted a
16 failure on his part, as an officer designated by a corporate
17 broker licensee, to exercise reasonable supervision and control
18 over the licensed activities of HMRI as required by Code Section
19 10159.2, and to keep HMRI in compliance with the Real Estate Law,
20 and is cause for the suspension or revocation of the real estate
21 license and license rights of BEANS pursuant to the provisions of
22 Code Sections 10177(d), 10177(g) and 10177(h).

23 9.

24 Code Section 10106, provides, in pertinent part, that
25 in any order issued in resolution of a disciplinary proceeding
26 before the Bureau, the Commissioner may request the
27 administrative law judge to direct a licensee found to have

1 committed a violation of this part to pay a sum not to exceed the
2 reasonable costs of the investigation and enforcement of the
3 case.

4 WHEREFORE, Complainant prays that a hearing be
5 conducted on the allegations of this Accusation and that upon
6 proof thereof, a decision be rendered imposing disciplinary
7 action against all licenses and license rights of Respondents
8 HELP ME RENT, INC. and DARYL SCOTT BEANS, individually, and as
9 designated officer of Help Me Rent, Inc., under the Real Estate
10 Law, that Complainant be awarded its costs of investigation and
11 prosecution of this case, and for such other and further relief
12 as may be proper under the provisions of law.

13 Dated at Los Angeles, California

14
15 this 30 day of October, 2013

16
17 
18 _____
19 Robin Trujillo
20 Deputy Real Estate Commissioner

21
22
23
24 cc: HELP ME RENT, INC.
25 DARYL SCOTT BEANS
26 Robin Trujillo
27 Sacto
Audits